

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
Appropriation Language**

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107–188; ~~[\$3,083,408,000:]~~ *\$3,957,738,000: Provided, That,* of the amount provided under this heading, ~~[\$30,530,000]~~ *\$760,000,000* shall be derived from ~~[animal]~~ *prescription* drug user fees authorized by ~~[section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-12)]~~ *21 U.S.C. 379h*, and shall be credited to this account and remain available until expended; ~~[\$7,595,000]~~ *\$114,833,000* shall be derived from ~~[animal generic drug]~~ *medical devices* user fees authorized by ~~[section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-21)]~~ *21 U.S.C. 379j*, and shall be credited to this account and shall remain available until expended; ~~[\$505,000,000]~~ *\$534,000,000* shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended ~~;~~ *\$12,925,000* shall be derived from food and feed recall fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be

credited to this account and remain available until expended; \$15,367,000 shall be derived from food reinspection fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be credited to this account and remain available until expended]: *Provided further*, That, in addition and notwithstanding any other provision under this heading, amounts collected for [animal] *prescription drug* user fees and [animal generic drug] *medical device* user fees that exceed the respective fiscal year [2013] 2014 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from [animal drug and animal generic drug] *prescription drug, medical device, human generic drug, and biosimilar biological product* assessments for fiscal year [2013 received during fiscal year 2013] 2014, including any such fees [assessed] collected prior to fiscal year [2013] 2014 but credited for fiscal year [2013] 2014, shall be subject to the fiscal year [2013] 2014 limitations: *Provided further*, That the Secretary may, prior to the due date for such fees, accept payment [of animal drug user fees and animal generic drug user fees authorized for fiscal year 2014, and that amounts of such fees assessed for fiscal year 2014 for which the Secretary accepts payment in] during fiscal year [2013 shall not be included in amounts provided] 2014 of user fees specified under this heading and authorized for fiscal year 2015, and that amounts of such fiscal year 2015 fees for which the Secretary accepts payment during fiscal year 2014 shall not

be included in amounts provided under this heading: Provided further, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner.

In addition, human generic drug user fees authorized by 21 U.S.C. 379j-42, biosimilar biological product fees authorized by 21 U.S.C. 379j-52, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, [and] priority review user fees authorized by 21 U.S.C. 360n, [may] and food and feed recall and reinspection fees authorized by 21 U.S.C. 379j-31 shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, ~~[\$5,320,000]~~ \$8,788,000, to remain available until expended.

SALARIES AND EXPENSES

In addition, contingent upon the enactment of authorizing legislation, the Secretary shall assess a fee with respect to animal drugs and animal generic drugs: Provided, That fees of \$23,600,000 with respect to animal drugs shall be credited to this account and remain available until expended; and \$7,328,000 with respect to animal generic drugs shall be credited to this account and remain available until expended: Provided further, That in addition and notwithstanding any other provision under this heading, amounts collected for such animal drug user fees and animal generic drug user fees that exceed the respective fiscal year 2014 limitations are appropriated and shall be

credited to this account and remain available until expended: Provided further, That fees derived from such animal drugs and animal generic drugs assessments for fiscal year 2014, including any such fees collected prior to fiscal year 2014 but credited for fiscal 2014, shall be subject to the fiscal year 2014 limitations: Provided further, That the Secretary may, prior to the due date for such animal drug and animal generic drug user fees, accept payment during fiscal year 2014 of such fees authorized for fiscal year 2015, and that amounts of such fiscal year 2015 fees for which the Secretary accepts payment during fiscal year 2014 shall not be included in amounts provided under this heading.

In addition, contingent upon the enactment of authorizing legislation, the Secretary shall assess user fees with respect to food facility registrations and inspections, food imports, food contact notification activities, reinspection of medical product facilities, cosmetic activities, and international express courier import activities, and such fees shall be credited to this account and remain available until expended.